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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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In the Matter of

Reallocation of Television Channels
60-69, the 746-806 MHZ Band

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) ET Docket No. 97-157
)

To: The Commission

**COMMENTS OF
THE CITY OF LONG BEACH, CALIFORNIA**

The Commission has invited Comment in the proceeding to reallocate the 746-806 MHZ band, currently comprising television channels 60-69, with particular emphasis on the allocation of 24 megahertz, at 764-776 MHZ and 794-806 MHZ, to the fixed and mobile services, and to designate this spectrum for public safety use. The City of Long Beach, California welcomes this opportunity to offer Comment in this Notice of Proposed Rulemaking, and in general applauds the actions of the Commission, the Congress, and the President in recognizing public safety's immediate need for spectrum, particularly to satisfy interoperability requirements and emerging technologies.

The City of Long Beach, California is known worldwide as a leader in facilitating commerce with our trading partners throughout the Pacific Rim and beyond. Home to a population of one-half million living in an area of 50 square miles, Long Beach is the state's fifth largest city. Each day, Long Beach public safety providers face the same challenges as those confronting all major metropolitan areas, including law enforcement, fire suppression, emergency medical services, and hazardous materials responses. To accomplish its goals and maintain adequate service levels, the

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City has developed extensive public safety communications systems within the bands previously allocated to the public safety service. But now, increasing needs demand that Long Beach and other entities within the Greater Los Angeles Metropolitan area receive timely relief in the form of additional spectrum.

Crime and disaster do not observe or respect municipal boundaries. Each hour of each day sees the need for public safety providers to cross city and county boundaries in order to render emergency aid and assistance in neighboring jurisdictions. Whether it's a police pursuit, wildland fire, downed aircraft, environmental catastrophe, seismic event, civil unrest, or criminal terrorism, the public safety agencies of this region unite in the common goal of restoring order. To do so demands communications capabilities of the highest order; ubiquitous systems to enable the immediate transfer of information and data between providers using dissimilar, incompatible radios and other wireless equipment.

The City of Long Beach applauds the allocation of 24 MHz for the exclusive use of public safety. This action will go far toward satisfying the immediate spectrum needs detailed in the Final Report of the Public Safety Wireless Advisory Committee (PSWAC). Most important, it represents the important first step toward the future allocations necessary to satisfy the needs of public safety through the year 2010, as documented by PSWAC.

However, we remain disappointed that the Commission's actions in adopting the Sixth Report and Order in the related proceeding (MM Docket No. 87-268), chose to place the interests of commercial broadcasters ahead of those of public safety providers in Southern California's metropolitan Los

Angeles area. This is a serious omission and a dangerous precedent in the plan to create true, seamless interoperability on a nationwide basis, and creates a dangerous exception in the mutual aid capabilities of the numerous law enforcement, fire suppression, and emergency medical services providers within a radius of more than 100 miles from the Los Angeles Civic Center. As will be the case with dozens of other agencies, the Police and Fire Departments of Long Beach will find their radios to be incompatible with those used by agencies outside of our region whenever we are called upon to deliver mutual aid or disaster recovery. The potential consequences of the Commission's action are tremendous and far-reaching. There will come a time when we will be called upon to explain to the public why our agencies did not possess interoperability capabilities in a time of great need, and we will be left with no recourse than to point the finger of blame at the Commission's digital television channel allocations.

Speaking to television broadcasters in Monterey, California this summer, Commissioner Rachelle Chong acknowledged that more than 200 parties filed Petitions to Reconsider the DTV Channel assignments. These petitions came from both broadcasters and local government. The sheer volume of petitions is indicative of a severely flawed Rulemaking. It would behoove the Commission to recognize that unless major changes are made, not only will the public safety be imperiled, but there will also be a strong reluctance on the part of broadcasters to abide by and adhere to the Commission's DTV migration schedule.

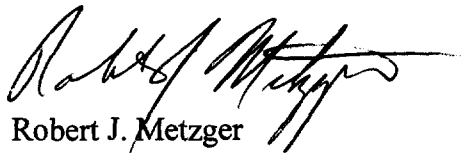
CONCLUSION

The City of Long Beach finds encouraging recent action intended to allocate 24 MHZ of spectrum from UHF-TV channels 60-69 for use by public safety, and believes it to be an important and long-

awaited first step in meeting the spectrum needs of emergency services providers. But the anticipated action will fall woefully short of providing for the needs of Southern California's public safety community, and we encourage the Commission to reverse its precedent-setting action which placed the needs of commercial television ahead of the vital services necessary to protect life and property.

Very truly yours,

CITY OF LONG BEACH, CALIFORNIA

A handwritten signature in black ink, appearing to read "Robert J. Metzger", written over the printed name.

Robert J. Metzger

Director of General Services